HON'BLE THE CHIEF JUSTICE SRI G.S. SINGHVI

AND

HON'BLE SRI JUSTICE G. BHAVANI PRASAD

Writ Appeal No. 851 of 2006

Between:

Smt. T. Anjamma and others

… Appellants.

And

The District Collector, Hyderabad District, Hyderabad

and five others

… Respondents.

:: ORDER::

Counsel for the appellants : Mr. K. Narasimha Chari

Counsel for respondent Nos.1 to 4: Government Pleader for Home

Counsel for Respondent Nos.5 & 6: Standing Counsel for Municipal Corporation of Hyderabad

January 30, 2006

Per G.S. Singhvi, CJ.

This is an appeal for setting aside order dated 02-08-2004 passed by the learned Single Judge in W.P. (SR) No.46393 of 2004, whereby he sustained the office objection and directed the registry to register the writ petition after payment of court fees individually by all the petitioners (appellants herein) numbering 260 with the further condition that they should give correct addresses. The learned Single Judge also directed that in case of default, the papers be returned to the petitioners.

Learned Counsel for the appellants made half-hearted attempt to convince us that it is not necessary for the individual petitioners to pay separate court fees, but in reply to the court's query he fairly stated that the prayer made in the writ petition, if accepted, will benefit each of the petitioners individually.

We have gone through the averments contained in the writ petition and the prayer made therein and are convinced that even though the writ petitioners (appellants) can be allowed to file joint petition, they are required to pay individual court fee because the relief claimed in the writ petition is personal to each one of them.

At this stage, learned counsel for the appellants made a request that his clients may be allowed two months' time to deposit the court fees and furnish their correct addresses.

Learned Government Pleader for Revenue and Sri Ganta Rama Rao, standing counsel for Municipal Corporation of Hyderabad say that they do not have any objection if the request of learned counsel for the petitioners is accepted.

In view of the above, the appeal is disposed of with the direction that if within a period of two months from today the appellants pay individual court fees for the writ petition and furnish their correct addresses, then the direction given by the learned Single Judge for registration of the writ petition shall stand revived. If the appellants fail to comply with this direction, then this appeal as also the writ petition shall stand automatically dismissed.

G.S. SINGHVI, C.J.

G. BHAVANI PRASAD, J.

January 30, 2006.

MVB.